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Security Council Committee established pursuant to resolution 1540 (2004)

Letter dated 30 May 2013 from the Chargé d'affaires a.i. of the Permanent Mission of Jamaica to the United Nations addressed to the Chair of the Committee

I write in reference to your correspondence of 27 February 2013 requesting current information from the Government of Jamaica to facilitate the Committee's annual review of the implementation of Security Council resolution 1540 (2004).

In this regard, the Permanent Mission of Jamaica is pleased to forward the attached report of the Government of Jamaica pursuant to resolution 1540 (2004), which outlines the recent actions by Jamaica pertaining to the implementation of the aforementioned resolution (see annex).

(*Signed*) Shorna-Kay **Richards**
Chargé d'affaires a.i.

13-35345 (E) 180613

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Annex to the letter dated 30 May 2013 from the Chargé d'affaires a.i. of the Permanent Mission of Jamaica to the United Nations addressed to the Chair of the Committee

Report of the Government of Jamaica pursuant to Security Council resolution 1540 (2004)

The Government of Jamaica, pursuant to Security Council resolution 1977 (2011), paragraph 7, hereby submits up-to-date information to facilitate the Committee's annual review of the implementation of resolution 1540 (2004). This report outlines recent actions by Jamaica as they relate to the implementation of resolution 1540 (2004).

Paragraph 1

Any clarification or amendments to the current information:

(i) Since the submission of its report in 2005 (S/AC.44/2004(02)/111), Jamaica has made progress with legislation. Paragraph 2 of that report lists the Money Laundering Act as an existing law and notes that the Proceeds of Crime Act was expected to be passed into law. The Proceeds of Crime Act (2007) was in fact enacted and replaced the Money Laundering Act. The Proceeds of Crime Act, along with the relevant regulations, implements many of the Financial Action Task Force 40+9 Recommendations on Money Laundering and Terrorist Financing. The Financial Investigations Division Act, which established a financial intelligence unit, was also passed.

(ii) Concerning Security Council resolution 1373 (2001) and United Nations terrorism conventions, as reported in 2005, legislation was passed to implement this resolution. This law, the Terrorism Prevention Act, implemented 11 of the 12 anti-terrorism agreements then applicable. The Terrorism Prevention Act also implements some aspects of the Financial Action Task Force terrorism financing commitments. In 2011, the Terrorism Prevention (Reporting Entities) Regulations were passed to address reporting requirements for financial institutions which were obliged to report on possible terrorist financing activities.

Paragraph 2

Any additional information or additional steps, including, for instance, national practices or implementation plans introduced since the last submission:

(i) The Terrorism Prevention Act is currently being amended to implement four remaining anti-terrorism instruments. These amendments will also allow Jamaica to fulfil certain outstanding recommendations of the Financial Action Task Force with respect to, inter alia, terrorist financing. Once the legislation is amended, the Government will take the necessary steps to become party to the relevant instruments. These are:

(a) International Convention for the Suppression of Acts of Nuclear Terrorism;

(b) Amendment to the Convention on the Physical Protection of Nuclear Material (2005);

(c) 2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf;

(d) Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation;

(ii) The Government of Jamaica plans to draft legislation using a 1540 model bill prepared by the Center for International Trade and Security, under the guidance of the 1540 Coordinator for the Caribbean Community (CARICOM). This model was received in February 2013 and it is proposed that the model be reviewed in the light of existing bills implementing, inter alia, relevant biological, nuclear and chemical agreements;

(iii) The Government also plans to introduce legislation to implement non-terrorism-related resolutions issued under Chapter VII of the Charter of the United Nations. The bill, the United Nations Security Council Resolutions Implementation Act, is scheduled to be tabled in Parliament in September 2013. It is also intended to implement Financial Action Task Force recommendation 7. The Act will provide the framework under which each Security Council resolution will be implemented by regulations. It is intended to table the Act with one set of regulations that are intended to implement resolution 1718 (2006);

(iv) With respect to effective border control measures, Jamaica, as a member of the World Customs Organization, has committed to implementing the Framework of Standards to Secure and Facilitate Global Trade. An important aspect of this Customs-to-Customs network is to promote the seamless movements of goods through secure international trade supply chains. This network arrangement will result in, inter alia, the exchange of timely and accurate information that will place the Customs administration in a position of managing risk on a more effective basis, including the ability to detect high-risk consignments. This includes consignments of weapons of mass destruction;

(v) Another area of border security that has been implemented by Jamaica is the International Ship and Port Facility Security Code. The cruise ship sector has already comprehensively implemented this strict regime. The country's international ports are operating at a high level of compliance with the Code and are being monitored through an ongoing audit programme to ensure compliance;

(vi) Jamaica, as part of CARICOM, has benefited from technical assistance in the form of several regional training seminars/workshops organized with the support of the CARICOM 1540 Coordinator and international donors;

(vii) The 1540 model bill, which was developed through technical assistance to the region.

Paragraph 3

Information on any measures the Government of Jamaica intends to take in the future:

(i) The 1540 legislation will be included as an item on the legislative agenda of the Ministry for the 2013-2014 legislative year;

(ii) During the process of drafting the legislation using the 1540 model bill prepared by the Center for International Trade and Security, under the framework of the CARICOM 1540 Coordinator, consideration will also be given to the development of control lists as part of this process.

Legal Unit

May 2013